

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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For Sale By Owner Magazine, Inc., and
Barbara Mallires and Steve Mallires formerly d/b/a
Worthington Publishing

08 CV 0570 (DAB)

Plaintiffs,

-against-

**PROPOSED
DISCOVERY PLAN**

ForSaleByOwner.com, Corp.

Defendant.
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1. Pursuant to Federal Rules of Civil Procedure Rule 26(f), a meeting was held on May 9, 2008, at the offices of Leader & Berkon LLP, 630 Third Avenue, New York, New York 10017, and was attended by:

Kravet & Vogel, LLP by Donald J. Kravet, Esq. and Maria E. Rodi, Esq. for Plaintiffs.

Leader & Berkon LLP by Glen Silverstein, Esq., Thomas K. Richards, Esq. and Caroline C. Marino, Esq. for Defendant ForSaleByOwner.com.

2. Pre-Discovery Disclosure.

The parties have exchanged the information required by Federal Rules of Civil Procedure Rule 26(a)(1).

3. Settlement Discussions.

The parties are attempting in good-faith to resolve the action. It is anticipated that certain data relating to the damages alleged by Plaintiff will be exchanged for purposes of settlement discussions only. After the exchange of data, the parties plan to

have a settlement meeting to be attended by counsel and technical consultants for the respective parties.

4. Discovery Plan

In the event that a settlement is not reached on or before July 11, 2008, the parties will so notify the Court, submit a discovery plan, and request a conference with the Court at that time.

Dated: New York, New York
May 27, 2008

KRAVET & VOGEL, LLP

By: /s/ Donald Kravet
Donald J. Kravet (DK-2772)
A Member of the Firm

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